

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

DEBRA MCCOY,)
)
)
Plaintiff,)
v.) **Case No. CIV-14-215-SPS**
)
)
CAROLYN W. COLVIN,)
Acting Commissioner of the)
Social Security Administration,)
)
)
Defendant.)

OPINION AND ORDER

The claimant Debra McCoy sought judicial review of the decision by the Commissioner of the Social Security Administration (“Commissioner”) denying benefits pursuant to 42 U.S.C. § 405(g). The claimant argued that the Administrative Law Judge (“ALJ”) erred by failing to adequately develop the record because he failed to determine the level of vocational adjustment needed in order to perform other sedentary work.

After the claimant filed her appellate brief, the Commissioner moved to remand the case to the ALJ for rehearing in order to obtain supplemental evidence from a vocational expert as to whether the claimant has transferable skills to other work with very little, if any, vocational adjustment. The claimant does not object to the Commissioner’s Unopposed Motion to Reverse and Remand for Further Administrative Proceedings Pursuant to Sentence Four [Docket No. 18]. The Commissioner’s motion is therefore GRANTED.

Accordingly, the Court finds that the decision of the Commissioner is unsupported by substantial evidence and is therefore REVERSED pursuant to the fourth sentence of 42 U.S.C. § 405(g). The case is hereby REMANDED to the ALJ for rehearing and a new administrative decision that properly assesses the claimant's credibility, and such other evidence as the Commissioner finds appropriate. The claimant is the prevailing party in this action and the Court will therefore render a separate judgment in her favor pursuant to Fed. R. Civ. P. 58(b)(2)(B).

DATED this 8th day of December, 2014.



Steven P. Shreder
United States Magistrate Judge
Eastern District of Oklahoma